IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

FRIDAY, THE 24TH NOVEMBER 2006 / 3RD AGRAHAYANA 1928

WP(C).No. 26878 of 2006(Y)

PETITIONER:

SUSHAMAKUMARI, W/O.SOMAN,
PAZHANILATHU VEEDU, UPPUTHARA P.O.,
IDUKKI DT. (NOW WORKING AS REGULAR PART TIME
LIBRARIAN, UPPUTHARA GRAMA PANCHAYATH.

BY ADV. SRI.M.K.CHANDRA MOHANDAS

RESPONDENTS:
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1. STATE OF KERALA, REPRESENTED BY
THE SECRETARY TO GOVERNMENT, LOCAL ADMINISTRATION
(H) DEPARTMENT, TRIVANDRUM.

2. UPPUTHARA GRAMA PANCHAYATH,
REPRESENTED BY ITS SECRETARY, UPPUTHARA,
IDUKKI.

3. THE DEPUTY DIRECTOR OF PANCHAYATH,
IDUKKI.

R2 BY ADV. SRI.K.JAJU BABU
R1 TO 3 BY GOVT. PLEADER SHRI. BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 24/11/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.K. DENESAN, J.

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W.P.(C) No. 26878 OF 2006 Y
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Dated this the 24th November, 2006

J U D G M E N T

Heard counsel for the petitioner, Govt. Pleader for respondents 1 and 3 and counsel for the 2nd respondent.

2. The petitioner is working as Part-time Librarian in the 2nd respondent-Panchayat. It is stated that she had been thus working from 12-8-1994 to 4-6-1997 and thereafter from 23-8-1997 to 30-9-1997 on daily wage basis. Subsequently, with effect from 1-10-1997, pursuant to orders issued on 29-9-1997, she had been working as Part-time Librarian in an officiating capacity.

2. The relief sought for by the petitioner is for a direction to the respondents to assign her seniority in the post of Part-time Librarian with effect from 16-8-1994 onwards and for a declaration that she is fully eligible for promotion to the post of Lower Division Clerk. Ext. P4 representation filed by the petitioner before the Secretary of the 2nd respondent

has been produced to show that the petitioner has already made a demand before the concerned Panchayat for the grant of the same relief.

3. In the counter affidavit filed by the 2nd respondent it is stated that the matter has been brought to the notice of the 3rd respondent and the required facts have been furnished in Ext. R2(a) communication sent by the Panchayat to the 3rd respondent. The counter affidavit further says that it is for the 3rd respondent to take a decision on the claim made by the petitioner for seniority.

4. In the above circumstances, I am inclined to dispose of the writ petition directing the 3rd respondent to pass early orders. Ordered accordingly. The same shall be done within three weeks from the date of receipt of a copy of the judgment.

K.K. DENESAN
JUDGE

jan/-